

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT
for the District of Arizona

United States of America
v.
Yurgen Yilvier Leon-Rivera,
aka Leo
Citizen of Venezuela

Defendant

) Case No.

25-3045MJ

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about February 18, 2023, within the District of Arizona, Defendant Yurgen Yilvier Leon-Rivera, did knowingly bring a certain aliens, namely: Andres Felipe Duque-Agudelo and Yohana Torres-Cadavid, to the United States at a place other than as designated by the Secretary of Homeland Security, knowing that said person was an alien.

In violation of Title 8, United States Code, Section 1324(a)(1)(A)(i) and (a)(1)(B)(i) (Bringing an Illegal Alien into the United States).

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause, Incorporated by Reference Herein

☒ Continued on the attached sheet.

Reviewed by AUSA Stuart J. Zander ^{S.Z.}



Complainant's signature

Morgan Larson, United States Border Patrol

Printed name and title

Sworn to before me and subscribed telephonically.

Date: January ³⁰ 29, 2025



Judge's signature

City and state: Phoenix, Arizona

Honorable Michael T. Morrissey, U.S. Magistrate Judge

Printed name and title

STATEMENT OF PROBABLE CAUSE

I, Morgan Larson, United States Border Patrol Agent, being duly sworn, declare and state as follows:

INTRODUCTION AND BACKGROUND OF AFFIANT

1. Your Affiant Morgan L. Larson is a Border Patrol Agent-Intelligence, with Department of Homeland Security, Customs and Border Protection, United States Border Patrol (USBP). I have been employed as a full-time, sworn federal agent with the USBP since July 22nd, 2018, having graduated from the USBP Basic Border Patrol Training Academy located in Artesia, New Mexico. The sixteen-week Academy curriculum covers specialized training in Immigration and Naturalization Act (INA), criminal law, statutory authority, as well as Title 19 and 21 of the United States Code.

2. I am currently a Border Patrol Agent-Intelligence with the United States Border Patrol, which is a division of United States Customs and Border Protection. I am currently assigned to the Sector Intelligence Unit at the Yuma, Arizona Border Patrol Sector. I am empowered, as a Border Patrol Agent, to effect arrests, searches, and seizures for violations of various federal laws. Including 8 USC 1324, 8 USC 1325, 8 USC 1326. I have participated in approximately twenty human smuggling investigations, either as a case agent or in various support roles. I am currently assigned to the Homeland Security Investigations Task Force in Yuma, AZ. My experience as a Border Patrol Agent and Task Force Officer includes, but is not limited to, conducting physical surveillance, interviewing witnesses/perpetrators, drafting search and arrest warrants, executing search and arrest warrants, the issuance of administrative and grand jury subpoenas, analyzing telephone tolls, financial records, and analyzing data derived from the use of pen registers. I have conducted and participated in complex human smuggling investigations involving Transnational Criminal Organizations (TCO's).

3. As a TFO, I was empowered to effect arrests, searches, seizures for violations of various federal laws. I have participated in numerous smuggling investigations, either as a case agent or in various support roles. As such, I am empowered by the Homeland

Security Act of 2002 to conduct investigations of offenses against the United States; conduct searches without warrant at the border and its functional equivalent; conduct inquiries related to alienage and removability; execute and serve search or arrest warrants; serve subpoenas and summonses; administer oaths; make arrests with and without warrant; require and receive information relating offenses, and bear firearms.

4. In preparing this Affidavit, I conferred with other law enforcement officials, who share the opinions and conclusions stated herein. I have personal knowledge of the following facts or have learned them from other law enforcement officers. I also relied on my training, experience, and background in law enforcement to evaluate this information. Since this Affidavit is being submitted for the limited purpose of establishing probable cause for a complaint, I have not included each and every fact or source of information establishing the violation of federal law.

PROBABLE CAUSE

5. Since 2022, United States Border Patrol Agents (BPAs) have been investigating a known transnational criminal organization which smuggles migrants into the United States from Mexico in Southern Arizona. One of the known foot guides for the organization is Yurgen Yilvier Leon-Rivera.

6. On February 18, 2023, BPAs working in the Yuma Area of Responsibility apprehended two Colombian nationals, Andres Felipe Duque-Agudelo (Duque-Agudelo), and Yohana Torres-Cadavid (Torres) who admitted they had unlawfully entered the United States from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

7. Duque-Agudelo was interviewed by agents. He admitted to being a Colombian national from Medellin, Colombia who had no legal status in the United States. He and his wife (Torres) traveled from Medellin, Colombia to Tijuana, Baja California, Mexico. In Tijuana they met with individuals who would facilitate his and Torres' illegal entry into the United States for \$2,400 in U.S. currency (USD). He and his wife were then

taken by the organization to Mexicali, Mexico, in a large group which consisted of individuals from different parts of the world.

8. Later, the group was introduced to a foot guide named “Leo”, a Venezuelan national, who would guide the group illegally into the United States. Leo then guided the group, including Duque-Agudelo and Torres, illegally into the United States. During the trip, Leo contacted a driver in the United States to transport the group to Los Angeles, California. The driver requested \$1,200 USD per person. As Duque-Agudelo and Torres did not have the funds to pay the driver, they abandoned the group and were subsequently apprehended by Border Patrol.

9. Duque-Agudelo was shown a photo array of random photos. In the array, Duque-Agudelo identified Yurgen Yilvier Leon-Rivera (Leon-Rivera) as Leo, his foot guide who illegally brought him to the United States from Mexico.

10. Torres was interviewed by agents. She admitted to being a Colombian national from Medellin, Colombia, who had no legal status in the United States. She and her husband (Duque-Agudelo) traveled from Medellin, Colombia to Mexico City where members an organization provided her and Duque-Agudelo with fraudulent Mexican credentials. After arriving in Tijuana, they were introduced to “Leo” who would be their foot guide and who would assist in their illegal entry into the United States. After crossing illegally into the United States, with Leo’s assistance as her foot guide, Leo made contact with a driver who requested an additional \$1,000 USD per person to take her and Duque-Agudelo to Los Angeles. As Duque-Agudelo and Torres did not have the funds to pay the driver, they abandoned the group and were subsequently apprehended by Border Patrol.

11. Torres was shown a photo array of random photos. In the array, Torres identified Leon-Rivera as Leo, her foot guide who illegally brought her to the United States from Mexico. Agents also observed communications on Torres’s cellphone regarding the smuggling event which collaborated her statements.

12. On January 13, 2025, Yurgen Yilvier Leon-Rivera attempted to seek asylum in Windsor, Canada. Canada Border Services Agency denied Leon-Rivera refugee claims

returning Leon-Rivera to United States Customs and Border Protection custody. On January 22, 2025, Leon-Rivera was remanded in custody at the Saint Clair County Jail in Port Huron, Michigan.

13. Based on the facts and circumstances stated in this Affidavit, I submit there is probable cause to believe that, on or about February 18, 2023, within the District of Arizona, Defendant Yurgen Yilvier Leon-Rivera, did knowingly bring a certain aliens, namely: Andres Felipe Duque-Agudelo and Yohana Torres-Cadavid to the United States at a place other than as designated by the Secretary of Homeland Security, knowing that said person was an alien. I further request an arrest warrant be issued for Yurgen Yilvier Leon-Rivera.



Morgan Larson
Border Patrol Agent

Electronically signed and telephonically sworn this 30 day of January, 2025.



HONORABLE MICHAEL T. MORRISSEY
United States Magistrate Judge